

Title 8. Industrial Relations
Division 1. Department of Industrial Relations
Chapter 8. Office of the Director
Subchapter 2. Administration of Self-insurance
Article 9. Recordkeeping and Audits

15400.2. Maintenance of Records.

(a) All claim files shall be kept and maintained for a period of five years from the date of injury or from the date on which the last provision of compensation benefits occurred as defined in Labor Code Section 3207, whichever is later. Claim files with awards for future benefits shall not be destroyed, but two years after the date of the last provision of workers' compensation benefits as defined in Labor Code Section 3207, they may be converted to an inactive or closed status by the administrator, but only if there is no reasonable expectation that future benefits will be claimed or provided.

(b) Inactive and closed claim files may be microfilmed or electronically stored for storage. ~~However, if the file is not microfilmed or electronically stored~~ the original paper files shall be maintained for at least two years after the claim has been closed or become inactive. Such microfilmed or electronically stored files must be readily reproducible into legible paper form if requested by the Manager for an audit.

(c) All claim files and the claim logs shall be kept and maintained in California unless the Manager has given written approval to a self insurer or former self insurer to administer its workers' compensation self-insurance plan from a location outside of California.

(d) All claim files and claim logs, together with records of all compensation benefit payments, shall be readily available for inspection by the Manager or his representative.

Note: Authority cited: Sections 54, 55 and 3702.10, Labor Code. Reference: Sections 59, 129, 3700, 3702.1 and 3702.10, Labor Code.